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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,261	01/21/2004	Kia Silverbrook	RRA32US	1037
24011	7590	08/21/2007	EXAMINER	
SILVERBROOK RESEARCH PTY LTD			DO, AN H	
393 DARLING STREET			ART UNIT	PAPER NUMBER
BALMAIN, 2041			2853	
AUSTRALIA				
MAIL DATE		DELIVERY MODE		
08/21/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/760,261	SILVERBROOK, KIA
	<b>Examiner</b>	<b>Art Unit</b>
	An H. Do	2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 29 May 2007.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                        | Paper No(s)/Mail Date: _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

The Amendment filed on 29 May 2007 has been acknowledged.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Pan et al (US 6,908,179).

Pan et al disclose in Figures 1-3 the following claimed features:

Regarding claims 1 and 5, a printing fluid dispenser (Figure 3, element 300) including:

-a depressible housing (310) comprising first and second portions (including elements 320 and 335) movable relative to each other through depression of the first portion;

-a deformable reservoir (315, Abstract) for storing printing fluid having an outlet arranged to dispense the stored printing fluid to a point external to the housing in response to relative movement of the first and second portions (including elements 320 and 335); and

-a spring (340) connecting the first portion (335) with the reservoir (315), the spring (340) being configured to apply a constrained force on the reservoir in response to said relative movement of the first and second portions so as to cause said dispensing in a controlled manner (column 8, lines 41-63).

Regarding claim 2, wherein the reservoir (315) comprises a deformable container (Abstract) located within the housing (310) and wherein bringing the first and second portions towards each other causes compression of said container via action of said spring (340).

Regarding claim 3, wherein the first and second portions comprise a base and plunger (including elements 320 and 335).

Regarding claims 4 and 6, wherein the first and second portions include locking features (including elements 313 and 325) arranged to prevent disengagement of said portions relative to each other subsequent to said dispensing, the locking features being configured to engage with one another upon said relative movement to dispense the printing fluid and to allow disengagement only upon cooperation with unlocking tool; and the locking features comprise one or more complementary protrusions and indentations (bellows 325 show the protrusions and indentations formed on both sides of walls) formed into opposing walls of the first and second portions.

#### ***Response to Arguments***

Applicant's arguments filed 29 May 2007 have been fully considered but they are not persuasive. Applicant argued that Pan et al failed to disclose the housing is depressible with the first portion being depressed to provide the claimed relative

movement of the first and second portions, and that the reservoir is deformable through this relative movement. This argument is not found persuasive because Pan et al does teach that the housing (310) is depressible having first and second portions (including elements 320 and 335) movable relative to each other through depression of the first portion; and that the reservoir (315) is deformable (Abstract) for storing printing fluid.

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Contact Information***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to An H. Do whose telephone number is 571-272-2143. The examiner can normally be reached on Monday-Friday (Flexible).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on 571-272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AD  
August 18, 2007

/An H. Do/  
Primary Examiner  
Art Unit 2853